

IN THE COMMON PLEAS COURT OF PENNSYLVANIA
COUNTY OF SCHUYLKILL

WILLIAM D. TURNER,
PLAINTIFF.

VS.

JOHN E. WETZEL, SECRETARY OF CORRECTIONS;
CORRECTION CARE SOLUTION, CARL KEDDIE, JOSEF
SILVA (DEPARTMENT OF CORRECTIONS HEALTH CARE
SERVICE DIRECTOR), DR. PAUL NOAL, DR. JAY COWAN,
THE DOC'S HEPATITIS C COMMITTEE, SCI FRACKVILLE
'S MA KUREN, VISOR MS. KURAS, CHDA MS. HOLLY and
SHARON SELBI; RN any and all individuals or
entities responsible for my HEALTH CARE and/or
DOC MEDICAL POLICIES.
DEFENDANTS.

DEMAND FOR JURY
TRIAL

S-89-18

NOTICE TO DEFEND

Pursuant to Rule of C.P.; 1018.1 (b):

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must at once take action within twenty(20)days after this complaint., and notice are served. By entering a written appearance personally or by attorney and filing in writing with the Court your issue of defense or objections to the claims set forth against you.; you are warned that if you fail to do so the case my proceed., without you, and a judgment may be entered against you by the Court WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE ISSUE of the complaint or for ANY OTHER CLAIM or RELIEF REQUESTED by the Plaintiff. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS, important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE.
IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE
OFFICE SET FORTH BELOW. THIS OFFICE PROVIDES LEGAL
HELP.

Public Defenders, Suite 7
420 N. Centre Street
Pottsville, 17901
(570) 628-1570.

PROthonotary Office
2018 JAN 19 A 11:12
SCHUYLKILL COUNTY PA
17901

2018 JAN 24 P 3:28
SCHUYLKILL COUNTY
PENNSYLVANIA

IN THE COMMON PLEAS COURT OF PENNSYLVANIA
COUNTY OF SCHUYIKILL

WILLIAM D. TURNER,
PLAINTIFF.

VS.

JOHN E. WETZEL, SECRETARY
OF CORRECTIONS; CORRECTION CARE
SOLUTION, CARL KEDDIE; JOSEP SILVA
(DEPARTMENT OF CORRECTIONS HEALTH
CARE SERVICE DIRECTOR), DR. PAUL
NOAL, DR. JAY COWAN, THE DOC'S
HEPATITIS C COMMITTEE, SCI FRACKIVILLE'S
MA KUREN, VISOR MS. KURAS, CHDA MS.
HOLLY and SHARON SELBI; RN any and all
individuals or entities responsible for
my HEALTH CARE and/or DOC MEDICAL
POLICIES, JANE AND JOHN DOE.
DEFENDANTS.

CIVIL ACTION

DEMAND FOR JURY
TRIAL

NO.

CIVIL ACTION

TO. THE HONORABLE JUDGES OF THIS SAID COURT IN THE CAPTION.
THE HONORABLE JUDGES:

Now cometh William D. Turner, the Plaintiff.; stated
in the caption and presents:

JURISDICTION.

1. This is a civil action authorized by the State
Pennsylvania Rules of Civil Procedure. Rule 1001 and other
civil rules. Which gives this Court jurisdiction. to hear
this case that seeks declaratory relief, injunction relief
and compensation.

II. PLAINTIFF.

2. Plaintiff William D. Turner, is presently house at SCI Frackville, 1111 Altamount Blvd, Frackville PA. 17932 who at all times mention herein a prisoner of the Pennsylvania State Department of Corrections.

III. DEFENDANTS.

3. Defendants John E. Wetzel, Secretary of Corrections is being sued once becoming aware of Turner.; ' serious medical needs when grievances are filed such as on August 16, 2017; [all] which denied Plaintiff Turner, treatment for Hepatitis C, and Arthritis., that was diagnose, by medical, yet denied.; [all] because of cost. Who can be contact at 1920 Technology Parkway Mechanicsburg, PA 17050; being sued in his individual as well as official capacities, concerning policies.

4. Defendant Carl Keldie relating to Correction Care Solution who makes decisions on protocol for treatment is being sued for disregarding what was diagnose, and its cause as well as its effect without treatment, all because of cost. That can be contact at 1920 Technology Parkway, Mechanicsburg PA. 17050 being sued in his individual and official capacities.

5. Defendant Josep Silva also (CCS) Correction Care Solution that makes those proctocol decisions for treatment is being sued once disregarding what was diagnoses, all because of cost. Who can be contacted at 1920 Technology Mechanicsburg, PA. 17050; being sued in his individual and official capacities.

6. Defendant Dr. Paul Noal concerning Department of Correction Health Care Service Director; is being sued by not addressing what was stated in the grievance on ongoing health

problems without treatment where Plaintiff is presently suffering from ~~arash~~ that burns with other problems. Who can be contacted at 1920 Technology Parkway, Mechanicsburg PA. 17050, sued in his individual and official capacities on pain and suffering.

7. Defendant Dr Jay Cowan another DOC HCSD, is being sued for not addressing what was filed in the grievance, also relying on cost to deny treatment disregarding pain and suffering that can be located at 1920 Technology Parkway, Mechanicsburg PA. 17050. Being sued in their individual and official capacities again concerning pain and suffering.

8. Defendant Dr MA Kuren Department of Corrections Hepatitis C Committee, SCI Frackville, is being sued because of knowing what Plaintiff Turner was going through, yet allowed cost to deny treatment as well as disregarding other medical needs. Who is located at SCI Frackville, 1111 Altamount Blvd., Frackville PA 17932; being sued in their individual as well as in official capacities, on pain and suffering.

9. Defendant Visor Ms. Kuras DOC HCC, of Frackville., is being sued that set in on these decisions who had knowledge relating to Plaintiff's medical needs yet let cost denied the treatment. Also located at SCI Frackville, 1111 Altamount Blvd Frackville PA 17932, being sued in her individual as well as in official capacities, on pain and suffering.

10. Defendant CHDA Ms. Holly, DOC HCC, of Frackville, is being sued that set in on these decisions when it comes to cost and denying treatment. Located at SCI Frackville, 1111 Altamount Blvd, Frackville PA 17932; being sued individual and official capacities, on pain and suffering.

11. Defendant Rn Sharon Selbi, of SCI Frackville, is being sued that also set in on these issues which was diagnose concerning Hep-C and arthritis..That is located at Frackville, 1111 Altamount Blvd, Frackville, PA 17932, being sued in their individual and official capacities, on pain and suffering.

12. Defendants John/Jane Doe., responsible for [oany] DOC's policies on treatment.

13. All Defendants have acted under th[e] color [of] State and Federal Laws during the time[s] relevant to this act /complaint.

IV. FACTS

14. Plaintiff Turner filed a grievance on August 16, 2017; relating to a continual refusal by the DOC Department of Corrections, to treat Plaintiff's HEPATITIS C.

15. This is causing Plaintiff Turner ongoing health problems such as: cirrhosis, concentration, memory issues also chronic fatigue, skin rash with other concerns.

16. Where no Defendant., stated in their Final decision., of December 5, 2017; there was tests taken to address [t]hose medical concerns elaborated above. Only concluded by the Bureau of Health Care Services; that medical care provided, was reasonable and appropriate.

17. Disregarding Plaintiff, present state relating to a rash which is one of the symptom told to Turner by [an]other inmate with hep-C. Where wash up cause the skin to burn, and while perspiring he also suffer, not to mention no meds. for that or arthritis.

18. And with no medical justification on why Turner.; could not receive treatment for Hep-C; when Harvoni, has a 99 percentage cure rate.

19. Where Hepatitis C, infection cause cirrhosis and irreversible scarring of the liver, proving each day with out treatment increases the likelihood of cirrhosis and death.

20. These wanton negligence, reckless and negligence acts by the Defendants from paragraph 3to11, who denied Turner treatment just because of cost relating to Hepatitis C, and arthritis; has place Plaintiff.; in harms way when it comes to the Eighth Amendment on what is diagnose.

V. CLAIMS

FIRST CAUSE OF ACTIONS

21. The actions of the Defendants stated in paragraph 14to20; concerning wanton negligence, reckless and negligence, has violated due process and equal protection of the law, also the Eighth Amendment.

- a) denied treatment for no medical reasons and
- b) just because of cost on what has been diagnose

SECOND CAUSE OF ACTIONS

22. The wanton negligence, reckless, negligence, and disregard for the Eighth Amendment by the Defendants state[d] in this complaint at paragraph 14to20., has place Plaintiff.; in harms way of pain, suffering, cirrhosis and death.

- a) denied treatment contrary to the law and
- b) overlooking Turner's suffering.

23. The actions of the Defendants stated in paragraph 3 through 20 violated Federal and State Law.

VI. RELIEF

WHEREFORE, Plaintiff Turner request this Honorable Court., to grant the following relief:

A. Issue a declaratory judgment that the Defendants.; violated the United States Constitution and State Law when they :

- 1) denied treatment for hep-C without no medical justification only cost
- 2) disregard what was diagnose
- 3) not testing for cirrhosis
- 4) follow the Law concerning treatment for Hepatitis C

B. Issue an injunction ordering that Defendants, or their agents.

- 1) refrain from denying treatment for Hep-C
- 2) refrain from disregarding what was diagnose
- 3) refrain from not treating arthritis
- 4) refrain from not following the law relating to treatment of hepatitis C

C. Grant compensatory damages in the following amount:

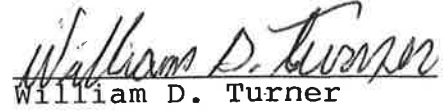
- 1) 10.000 or more against Defendant Wetzel
- 2) 10.000 or more against Defendant Silva
- 3) 10.000 or more against Defendant Keldie
- 4) 10.000 or more against Defendant Noal
- 5) 10.000 or more against Defendant Cowan
- 6) 10.000 or more against Defendant Kuren
- 7) 10.000 or more against Defendant Kuras
- 8) 10.000 or more against Defendant Holly
- 9) 10.000 or more against Defendant Selbi
- 10) 10.000 or more against John/Jane Doe

D. Grant punitive damage of 100.000 against each of the Defendants.

E. Grant such other relief as it may appear Plaintiff is entitled.

VII. CONCLUSION

Respectfully submitted


William D. Turner

AM 5992

1111 Altamount Blvd
Frackville, PA 17932

Date. 1/17/18